

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**VERN LEI and ROSS GILSON,
Plaintiffs,**

v.

**CITY OF PHILADELPHIA,
Defendant.**

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: **Case Number**
: **24-2716**
:
:
:
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**DEFENDANT’S MOTION TO DISMISS PLAINTIFFS’ COMPLAINT FOR FAILURE
TO STATE A CLAIM**

Defendant the City of Philadelphia (the “City”) files this Motion to Dismiss Plaintiffs’ Complaint under Rule 12(b)(6) (the “Motion”). In support of this Motion, the City incorporates the attached Memorandum of Law. The City respectfully requests that this Court dismiss the Complaint as asserted against it with prejudice.

Respectfully submitted,

CITY OF PHILADELPHIA LAW DEPARTMENT
RENEE GARCIA, CITY SOLICITOR

Dated: July 12, 2024

/s/ Bailey Axe

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Chief Deputy City Solicitor

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